

### **Drawing Changes**

Applicant has called out features shown in Figures 8, 9 and 10. No new matter has been added. Accordingly, Applicant requests the Examiner accept the drawing changes.

### **Specification**

Applicant has amended the specification to identify the features shown in the drawings. No new matter has been added. Therefore, Applicant requests the Examiner accept the amendment to the specification.

### **REMARKS**

The Examiner has reviewed claims 1-14. Claims 15-20 are withdrawn because they relate to a non-elected invention. Applicant has cancelled claims 3, 5, 6, 13, 14 and added new claims 21-24. Accordingly, claims 1-2, 4, 7-12 and 21-24 are pending

The Examiner rejected claims 1-9, 12 and 13 under 35 U.S.C. §102(b) as being anticipated by *Gorham*. Applicant has amended claim 1 to highlight a feature not shown by *Gorham*. Specifically, claim 1 includes a first thermally conducted tube, a second thermally conducted tube, a third thermally conductive tube, each of the tubes forming loops that are coiled concentrically around a common axis and having a common diameter. *Gorham* does not teach this feature as the loops of the tubes of *Gorham* each have differing diameters so that each loop of each separate tube is nested within another. Therefore, claim 1 and its dependents, claims 2, 4 and 7-9, stand in condition for allowance.

The Examiner further rejected claim 10 and 11 under 35 U.S.C. §103(a) as being unpatentable over *Gorham* in view of *Aranyi, et al.* Applicant disagrees with the basis for this

rejection. The Examiner contends it would have been obvious in view of *Aranyi, et al.* to provide a conductive element within the volume of the coils of *Gorham* for improving heat conduction between the coils. However, there is no need in *Gorham* expressed for any thermally conductive element in any volume formed by the coils of *Gorham*. Furthermore, there is no indication identified by the Examiner in *Aranyi, et al.* that indicates core 2 is either thermally conductive or provides the benefit of improving heat conduction between coils. Indeed, core 2 may simply serve to provide a form around which coils are supported and formed. Accordingly, there is no support for the Examiner's proposed motivation. Therefore, claim 10 and its dependents, claims 11, 21 and 24, stand in condition for allowance.

Further with respect to claim 11, this claim requires that the thermally conductive element has a first spiral and the first loop and the second loop form a second spiral. The first spiral spiraling in a first direction and the second spiral spiraling in a different opposite direction. There is no indication that core 2 meets this limitation as core 2 has no spirals. Therefore, claim 11 is also in condition for allowance.

The Examiner further rejected claim 14 under 35 U.S.C. §103(a) as being unpatentable over *Gorham* in view of *Geissler, et al.* The limitations of claim 14 have been added to independent claim 12 along with the limitations of claim 13. The Examiner rejected claim 14 claiming that it would have been obvious in view of *Geissler, et al.* to provide a second housing including a second fluid volume with the heat exchanger of *Gorham* to enable increasing heat exchange. [Non-Final Office Action (10/28/05), p.4]. Again, there is no indication of *Gorham* for any benefit provided by *Geissler, et al.* Therefore, the motivation is unsupported.

### **New Claims**

Applicant has added new claims 21-24. New claim 21 depends upon claim 11 and further requires, “said first loop contacts said second loop.” This limitation is not shown by the cited references. Therefore, claim 21 is in condition for allowance.

New claim 22 depends upon claim 21 and requires, “wherein said thermally conductive element and said first loop and said second loop share a common axis, said first spiral crossing said common axis at a different angle than said second spiral.” This feature is also not shown by the cited references. Therefore, claim 22 is in condition for allowance.

New claim 23 depends upon claim 12 and requires, “said first thermally conductive tube and said second thermally conductive tube are in fluid communication with said second housing.” Again, this feature is not shown by the cited references. Therefore, claim 23 is separately allowable.

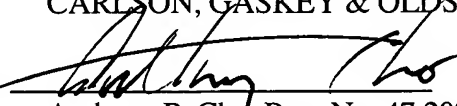
New claim 24 depends upon claim 10 and further requires, “said thermally conductive element comprises a fluid conducting tube.” Again, this feature is not shown by the cited references. Therefore, claim 24 is in condition for allowance.

Applicant believes that additional fees in the amount of \$200.00 are required for one additional independent claim. The Commissioner is authorized to charge Deposit Account No. 03-0835 in the name of Carrier Corporation in the amount of \$200.00. The Commissioner is

authorized to charge Deposit Account No. 03-0835 in the name of Carrier Corporation for any additional fees or credit the account for any overpayment.

Respectfully submitted,

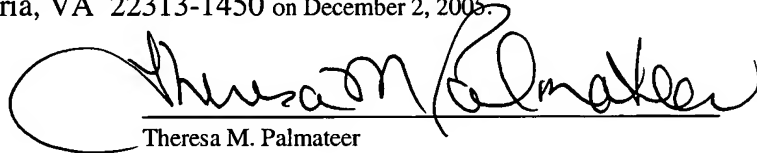
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**CERTIFICATE OF MAILING**

I hereby certify that the enclosed Response relative to Application Serial No. 10/716,974, is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on December 2, 2005.

  
Theresa M. Palmateer